

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TEXARKANA DIVISION**

BRANDON WILSON

Petitioner

v.

DIRECTOR, TDCJ-CID

Respondent

§
§
§
§
§
§

Case No. 5:22cv120-JRG-JBB

ORDER OF DISMISSAL

Petitioner Brandon Wilson, proceeding *pro se*, filed the above-styled and numbered petition for the writ of habeas corpus under 28 U.S.C. § 2241 challenging the legality of prison disciplinary action taken against him. The case was referred to the United States Magistrate Judge in accordance with 28 U.S.C. § 636.

Petitioner challenges a disciplinary conviction for possession of a controlled substance, for which he received punishments of cell, recreation, and commissary restrictions, a reduction in classification status from State Approved Trusty III to Line Class I, and the loss of 150 days of good time credits. Petitioner acknowledges that he is not eligible for release on mandatory supervision.

After review of the pleadings, the Magistrate Judge issued a Report recommending that the petition be dismissed because Petitioner failed to show the deprivation of a constitutionally protected liberty interest. *See Sandin v. Conner*, 515 U.S. 472, 484 (1995); *Washington v. Davis*, 792 F.App'x 331, 333 (5th Cir. 2020). Petitioner received a copy of this Report but has filed no objections; accordingly, he is barred from *de novo* review by the District Judge of those findings, conclusions, and recommendations and, except upon grounds of plain error, from appellate review of the unobjected-to factual findings and legal conclusions accepted and adopted by the District Court. *Duarte v. City of Lewisville, Texas*, 858 F.3d 348, 352 (5th Cir. 2017).

The Court has reviewed the pleadings in this cause and the Report of the Magistrate Judge. Upon such review, the Court has determined that the Report of the Magistrate Judge is correct. *See*

United States v. Wilson, 864 F.2d 1219, 1221 (5th Cir.), *cert. denied*, 492 U.S. 918, 109 S.Ct. 3243 (1989) (where no objections to a Magistrate Judge's Report are filed, the standard of review is "clearly erroneous, abuse of discretion and contrary to law.") It is accordingly

ORDERED that the Report of the Magistrate Judge (docket no. 6) is **ADOPTED** as the opinion of the District Court. It is further

ORDERED that the above-styled civil action is **DISMISSED WITH PREJUDICE**. A certificate of appealability is **DENIED** *sua sponte*. It is further

ORDERED that any and all motions which may be pending in this civil action are hereby **DENIED**.

So ORDERED and SIGNED this 11th day of December, 2023.



RODNEY GILSTRAP
UNITED STATES DISTRICT JUDGE